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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/504,304	02/15/2000	Roland F. Portman	1458P	7700

7590

07/09/2003

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EXAMINER

PHAN, THANH S

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 07/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application N .

09/504,304

Examiner

Thanh S Phan

Applicant(s)

PORTMAN ET AL.

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 15-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 15-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 7-8, 13, 15, 30, are rejected under 35 U.S.C. 102(b) as being anticipated by Damon [4,338,717].

Damon discloses a removable visual indication structure [figures 1-2] comprising: a removable connection portion [21], supporting surface mounted leds [figure 1], adapted to be removably coupled to an electrical connection [11], the connection portion including a plurality of electrical contacts [17] for contacting a plurality of electrical contacts [12] of the connector, the electrical connector being electrically coupled to a circuit of a printed circuit board [13, 14] and a visual indication portion wherein the visual indication portion is coupled to the movable connection portion, wherein the visual indication structure can be removed from the printed circuit board by removing the visual indication structure from the electrical connector.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 2841

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-6, and 16-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Damon in view of Heeb et al. [5,612,855].

Damon disclose the instant claimed invention except for the leds being surface mounted to the visual indication structure.

Heeb et al. disclose surface mounted leds [36] mounted to a circuit board [37].

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use surface mounted leds for the structure of Damon, as modified, as suggested by Heeb et al., for the purpose of reducing size.

Regarding claim 20-25, the method steps are necessitated by the apparatus structure.

Claims 26 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Damon in view of applicant admitted prior art shown in figure 2.

Damon disclose the instant claimed invention except for the connection portion being connected via a ribbon cable.

Applicant's admitted prior art shows a connection portion mounted with a ribbon cable.

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use a ribbon cable to connect the connector of Damon, as suggested by applicant's admitted prior art, for the purpose of extending the connection point.

Claims 27-29, 31 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Damon in view of Yagi [4,667,270].

Damon disclose the instant claimed invention except for the leds being mounted within a holder.

Yagi discloses an led holder having sockets [figure 1] supporting multiple leds.

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the socket design of Yagi for the visual indication structure of Damon, for the purpose of facilitating replacement of the leds.

Regarding claim 33, the method steps are necessitated by the apparatus structure.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Huang [5,947,588], Sinclair et al. [4,200,347].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S Phan whose telephone number is 703-305-0069. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David S Martin can be reached on 703-308-3121. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7722 for After Final communications.

Application/Control Number: 09/504,304  
Art Unit: 2841

Page 5

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

tsp  
June 29, 2003

A handwritten signature in black ink, appearing to read 'D. Martin', with a stylized, elongated 'M'.

**DAVID MARTIN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**